



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Gary F. GERARD

Appl. No. 10/629,859

Filed: July 30, 2003

For: **REVERSE TRANSCRIPTION**

Confirmation No.: 6152  
Art Unit: 1636  
Examiner: Riggins, P.  
Atty. Docket: 0942.5530002

**Response to Restriction Requirement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated **April 21, 2005**, Applicant hereby elects Group II, claims 13-20, drawn to methods for cDNA synthesis and the cDNAs produced by such methods, classified in class 435, subclass 199, with traverse. The Restriction Requirement lists the following two distinct Groups:

- I. Claims 1-12 and 21-24, drawn to inhibitors of nucleic acid degradation and kits and compositions comprising those inhibitors, classified in class 435, subclass 4.
- II. Claims 13-20, drawn to methods for cDNA synthesis and the cDNAs produced by such methods, classified in class 435, subclass 199.

Although Groups I and II are patentably distinct, they are directed to similar, overlapping subject matter. According to M.P.E.P. Section 803:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct invention.

Because the subject matter of Groups I and II is clearly related as evidenced by their classification in the same search class (435), searching both of these Groups would not place a serious burden on the Examiner within the meaning of M.P.E.P Section 803. A general search of the subject matter encompassed by the claims of Group II would necessarily produce results within both Groups.

In view of the comments presented above, Applicant respectfully requests reconsideration of the restriction requirement, and that Groups I and II be examined together.

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX



Jeffrey K. Mills  
Agent for Applicant  
Registration No. 56,413

Date: September 21, 2005

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

445232\_1.doc